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AF/37611 \$

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: David Scott Gray
 Serial No.: 09/934,016
 Filed: 08/20/2001
 For: Medical Port for an Emergency Safety Resuscitator
 Confirmation No.: 7568
 Group Art Unit: 3761
 Examiner: Mital B. Patel
 Customer No.: 31198
 Attorney Docket No.: PGRACT

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

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MAY 07 2004

TECHNOLOGY CENTER R3700

EXPRESS MAIL CERTIFICATE

Express Mail Label No. ER821437782US

Date of Deposit: April 29, 2004

I hereby certify that the following attached.

Notice of Appeal from the Primary Examiner to the Board
 of Patent Appeals and Interferences

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Thompson E. Fehr
 Thompson E. Fehr



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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed 10/29/2003 objecting to claim 4 and finally rejecting claims 3 through 6 and 8 through 11.

1. STATUS OF APPLICANT

This application is on behalf of a small entity. A statement claiming small entity status was already filed.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(b), the fee for filing the Notice of Appeal is:

\$165.00 for a small entity.

Therefore, the Notice of Appeal fee which is due is \$165.00.

05/05/2004 MGERREM1 00000143 09934016

01 FC:2401
02 FC:2253

165.00 0P
475.00 0P

3. EXTENSION OF TERM

The proceedings herein are for a patent application, and the provisions of 37 CFR 1.136 apply.

Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17 (a)-(d)) for a total of three months, for which extension the fee is \$475.00.

4. TOTAL FEE DUE

The total fee due is:

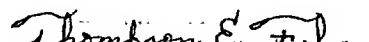
Notice of Appeal fee	\$165.00
Extension fee	\$475.00

TOTAL FEE DUE \$640.00

5. FEE PAYMENT

Attached is a check in the sum of \$640.00.

DATED this 29th day of April, 2004.



Thompson E. Fehr
Registration No. 31353

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